

Application No: 20/5021M

Location: BEECHWOOD, 6, MOSS ROAD, ALDERLEY EDGE, WILMSLOW, CHESHIRE, SK9 7HZ

Proposal: Demolition of existing dwelling and erection of a single replacement dwelling and a detached infill dwelling with associated works.

Applicant: Mr & Mrs Robinson

Expiry Date: 19-Jan-2021

SUMMARY:

The proposal is for the demolition of the existing house and the construction of a replacement dwelling and a new dwelling in the side garden. The site is located within the Green Belt, but having regard to relevant case law, it is considered to be in a village for the purposes of Cheshire East Local Plan Strategy ("CELPS") policy PG 3.

The proposal would fall within two of the exceptions listed within CELPS policy PG 3 and NPPF paragraph 149. The replacement dwelling would not be materially larger than the one it would replace, and the new dwelling would be limited infilling within a village. The proposed development would not be inappropriate within the Green Belt.

Given the varied character of the area and surrounding properties, it is considered that subject to conditions, there would be no adverse impact to visual amenities.

Whilst this proposal must be determined on its own merits, a very recent appeal decision for the adjoining site confirms that the site should be considered as being located "within a village" for the purposes of interpreting the relevant Green Belt policy applicable to this planning application.

Subject to conditions, the proposal complies with the relevant policies of the Development Plan.

RECOMMENDATION

Approve subject to conditions

REASON FOR REFERRAL

The application has been called to Committee by the local ward member, Cllr Craig Browne, for the following reasons:

“Following consideration of “Rydal”, 8 Moss Road, Alderley Edge (20/4003M) by Northern Planning Committee on 02.12.2020, this application relating to the immediately adjacent property would benefit from a similar level of scrutiny by the members of the committee. Committee members may wish to consider the extent to which planning policies: PG3 (green belt) as well as SE1 and SD2 (character) may be relevant to this application.”

DESCRIPTION OF SITE AND CONTEXT

The application site is a detached two storey dwelling which lies within a ribbon of development within the Green Belt. Alderley Edge village centre lies to the west of Alderley Edge Village Centre.

The site is within a Local Landscape Designation and within Manchester Airport Safeguarding Zone. There are protected trees along the road frontage, as within the rear garden of the site.

DETAILS OF PROPOSAL

This application seeks full planning permission for the demolition of the existing house and the construction of a pair of detached houses. The proposed development would use existing accesses onto Moss Road.

RELEVANT HISTORY

There is no relevant planning history specific to the application site, but the application below in relation to the adjoining site is relevant.

Rydal, 8 Moss Road

20/4003M – refused - 3 December 2020.

Demolition of existing dwelling and its replacement with a detached dwelling and detached infill dwelling.

Appeal allowed 16 August 2021. Ref APP/R0660/W/21/3268648

POLICIES

Cheshire East Local Plan Strategy (CELPS)

PG 3 – Green Belt

SD 2 – Sustainable Development Principles

SE 1 – Design

SE 3 – Biodiversity and Geodiversity

SE 4 – The Landscape

SE 5 – Trees, Hedgerows and Woodland

SE 13 – Flood Risk and Water Management
CO 1 – Sustainable Travel and Transport
Appendix C – Adopted Parking Standards

Saved Macclesfield Borough Local Plan (MBLP)

GC1 – Green Belt – New Buildings
DC3 – Amenity
DC6 – Circulation and Access
DC9 – Tree Protection
DC38 – Space, light and privacy

Other Material Policy Considerations

National Planning Policy Framework (revised 2021)

Alderley Edge Neighbourhood Plan

The Alderley Edge Neighbourhood plan was “made” and became part of the development plan following a referendum in May 2021.

AE1 – Alderley Edge Development Strategy
AE2 – Design, Scale and Type of New Housing
AE3 – Sustainable Housing Design
AE4 – Rear Garden and Backland Development
AE9 – Landscape Character and Access
AE12 – Local and Historic Character

Revised Publication Draft SADPD (September 2020)
Submitted for examination April 2021

PG 10 – Infill villages

CONSULTATIONS (External to Planning)

Alderley Edge Parish Council - strongly recommends refusal and call in to committee. It is overdevelopment in the greenbelt, and, on its side of the road, isn't appropriate in density, scale, or grain of the area. This is contrary to emerging neighbourhood plan policy AE2. In fill development and increased density aren't consistent to this area. There is insufficient justification for supporting the increased density and is as such also against emerging neighbourhood plan policy AE4. Housing supply needs in CE and Alderley Edge are already being met.

In principle this proposal differs little from 20/4003M just recently refused at committee and ought to be rejected on the same grounds

United Utilities – no objections, comments regarding sustainable drainage and water and drainage supply

Flood Risk – initially objected to the planning application. This objection was removed following the submission of a drainage strategy. They have required conditions relating to the ground and finished floor levels and the submission of a detailed drainage strategy

Environmental Health – no objections subject to conditions, relating to EV charging and ultra-low emission boilers.

Highways – no objections

OTHER REPRESENTATIONS

21 representations received. 20 objecting to the proposal and one making general comments. The content of these representations are summarised below:

Objections:

- Development is outside the village boundary. It is inappropriate development in the Green Belt, conflicting with CELPS policy PG 3, MBLP policy GC1 and NPPF chapter 13.
- Development would be harmful to openness
- Similar application at 8 Moss Road was refused for being inappropriate development within the Green Belt
- Contrary to Alderley Edge Neighbourhood Plan policies including AE2, AE4, AE 11 and AE 14.
- Area suffers from poor drainage, with surrounding gardens flooding, development is likely to make this worse
- Flood Risk officers should be consulted on the proposal
- Number of applications for windfall infill developments along this part of Moss Road. Character of Moss Road is under threat
- Development is not in keeping with the character and appearance of Moss Road.
- The proposal would result in overdevelopment and would be cramped. It would be contrary to CELPS policies SD 2 and SE 1.
- Loss of mature trees and impact on protected Weeping Willow
- Development may affect the desirability and house prices for neighbouring properties
- Too many cars along Moss Road, with inadequate footpaths for walkers
- Development would make on road parking pressures worse, which is an accident waiting to happen
- Development would increase the demand for utilities – Duke Street already suffers from low water pressure
- If approved would set precedent for the rest of Moss Road
- Concern for grass verges – during and after building works

General comments:

- Existing house is of modest and dated appearance, existing additions appear disjointed
- Ridge height should not be greater than existing. Given ground levels appear to be incorrect
- Number of windows facing 8 Moss Road should be reduced
- Houses should be spaced evenly on the plot
- Concerns regarding overlooking from balcony

- Replacement hedge should be restricted to maximum height of 6 feet

OFFICER APPRAISAL

Principle of development – Green Belt

The application site lies within the Green Belt. National and local policies attach great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The two essential characteristics of Green Belts are their openness and their permanence.

Green Belts serve the following five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

To achieve this, there are restrictions on the types of development which may be carried out. These are detailed within NPPF paragraphs 149 and 150 and reiterated within CELPS policy PG 3.

Development not falling within one of the listed exceptions is inappropriate. NPPF paragraph 147 confirms that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

NPPF paragraph 148 directs Local Planning Authorities to give substantial weight to any harm to the green belt. It confirms that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

NPPF Paragraph 149 states that all new buildings other than those specifically listed as exceptions should be viewed as inappropriate development. The following exceptions are relevant to this application:

- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
- e) limited infilling in villages
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt than the existing development.

These listed exceptions are also reiterated within CELPS policy PG 3.

In this case, it is considered that the development would not meet NPPF 149g). this is because the definition of 'previously developed land' specifically excludes land in residential gardens in built up areas. The increase in built form would also result in the development having a greater impact on openness.

However, it needs to be considered whether the development would fall within any of the other exceptions, notably whether the development could be considered as limited infilling in villages or a replacement building which is not materially larger.

Replacement buildings in the Green Belt

NPPF paragraph 149 includes as an exception the demolition and replacement of existing buildings, provided that they are in the same use and not materially larger than the building they would replace.

Given that one of the proposed dwellings would be located on the footprint of the existing, it would be reasonable to assess this as a replacement dwelling for the purposes of CELPS policy PG 3 and NPPF paragraph 145.

Whether a proposal is materially larger than the dwelling it would replace will depend on various factors, including its footprint, volume, height, design and the spread of development.

A comparison of the existing and proposed figures is set out in the table below:

	Dwelling existing	as	Dwelling proposed	as	Percentage change
Footprint	133m ²		138m ²		+4%
Height	7.95m		7.95m		0
Volume	734m ³		914m ³		+17%

The above figures indicate that the replacement dwelling be slightly larger than the existing house in both volume and footprint, although there would be no change in overall height. It is not considered that the proposed increase in volume would reach the threshold for being materially larger, particularly when factoring in the location of the site within a ribbon of development. The increase in volume is comparable to the replacement dwelling granted planning permission on appeal at No.8 Moss Road (12.8%).

It is considered that the replacement dwelling would not be materially larger. It would fall within the exception and would not be inappropriate within the Green Belt.

Limited Infilling in Villages

It also needs to be established whether the proposed infill dwelling would fall within one of the listed exceptions or whether it would be inappropriate development.

The NPPF does not provide a definition of what should be considered to be limited infilling in villages, but the CELPS defines "infill development" as *"the development of a relatively small gap between existing buildings"*, and the MBLP defines "infilling" as *"the infilling of a small gap*

in an otherwise built up frontage (a small gap is one which could be filled by one or two houses)”.

It is a material consideration that planning permission has recently been granted on appeal 8 Moss Road (ref.20/4003M). The development sought at 8 Moss Road is similar in principle in that 2 dwellings were proposed to replace the existing single dwelling on the plot. The Planning Inspector has allowed the development on the basis that one of the dwellings would be replacement dwelling acceptable under Green Belt policy and the second dwelling would be an appropriate infill dwelling.

This scheme was initially refused by the Council for two reasons. The first of which is relevant to the question of whether this development can be considered as an infill.

“The proposed development would not constitute limited infilling in a village. It would not fall within any of the exceptions listed within NPPF paragraphs 145 and 146 and Cheshire East Local Plan Strategy PG 3. It would be inappropriate development within the Green Belt. There are no material planning considerations, which would clearly outweigh this harm. The proposal would conflict with CELPS policy PG 3, MBLP policy GC1 and the aims of NPPF chapter 13.”

There are two key points to draw out in respect of this application now proposed at 6 Moss Road.

Firstly, the Planning Inspector has concluded that the adjoining site at No.8 is so closely connected to the village that although it lies outside of the settlement boundary the site should be considered as lying within a village for the purposes of infill policy in the Green Belt. This is consistent with relevant planning case law *Wood v SSCLG and Gravesham Borough Council* [2014] EWHC 683). The inspector concluded:

“Based on my observations on my site visit, the prevailing character of Moss Road between Duke Street and “Moss Hall Cottage” is one which I would associate far more with an affluent and spacious suburban part of Alderley Edge, rather than the surrounding rural area. The village centre a short distance away is also readily and easily accessible from the appeal site, including for those travelling on foot or by bicycle. I therefore consider that for the purposes of determining this appeal, notwithstanding that it lies outside the Alderley Edge settlement boundary as defined in the CELP, the appeal site should be treated as being within the village.”

As 6 Moss Road adjoins the site referred to by the Inspector and is closer to the village than 8 Moss Road (*in fact the site is only about 20 metres from the settlement boundary on the road frontage*) the same conclusion should be drawn for this application.

Secondly, this application differs from the recently allowed scheme for 8 Moss Road (20/4003M), as there would be no overlap between the built form of the infill plot and the existing dwelling. It would therefore be perfectly possible for only the new dwelling to be constructed without the demolition of the existing building.

The distance between the built form of the existing dwelling and 8 Moss Road is approximately 28m. The gap between the replacement dwelling and 8 Moss Road would be around 33m.

Whether or not a gap can be considered as relatively small will depend on the context. In the surrounding area, there is a variety of plot widths. It would not be unusual for a gap of a similar size to be filled with either a single house. In this location the gap between the either the existing house or the replacement house and 8 Moss Road is considered to be relatively small.

This would be consistent with the appeal decision at 8 Moss Road and the fact that the spacing at 6 Moss Road would enable an infill dwelling to take place independently of the replacement dwelling should add further weight to the view that the proposal is compliant with Green Belt policy.

Having regard to the size and scale of the development and its location within a village, it is accepted that the additional net dwelling that would result on the site may be considered as limited infilling in villages and would not be inappropriate development within the Green Belt. This, in combination with the replacement of the existing dwelling, which is also within the allowance of Green Belt policy, leads to the conclusion that the development proposed overall would not be inappropriate development in the Green Belt.

As the proposed development is an appropriate form of development in the Green Belt there is no requirement to undertake any further assessment specifically in terms of the impact on openness. The issues around the impact on the character and appearance of the surroundings are considered below.

Character and Appearance

The NPPF sets out guidance for achieving well-designed places and a recent update has re-enforced the importance of high quality design in new development. It states that planning decisions should ensure that amongst other matters, developments should be:

- Visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- Sympathetic to local character and history, including the surrounding built environment and landscape setting

The NPPF directs local authorities to refuse development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It also states that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

CELPS policy SD 2 sets out the sustainable development principles for Cheshire East. It requires all development to contribute positively to an area's character and identity, in terms of, amongst other matters, its:

- Height, scale, form and grouping,
- External design features
- Massing of development – the balance between built form and green spaces.
- Relationship to neighbouring properties, streetscene and wider neighbourhood.

CELPs policy SE 1 deals with design. Similar to policy SD 2, it requires developments to make a positive contribution to their surroundings. This includes a requirement to ensure design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements.

Neighbourhood Plan policy AE2 deals with the design, scale and type of new housing. Similar to CELPS policies SD 2 and SE 1, this requires scheme to be appropriate to their site in scale and character and relate well to their context.

The application site is currently occupied by a two-storey detached house, which sits on the western part of the plot. There is an open car port on the eastern part of the site. The site has two accesses onto Moss Road. One serving the main house and the other the carport.

The area is characterised by detached two storey houses, with a wide range of architectural styles. There is also a variety in terms of plot size. 6 Moss Road is the first of a group of four wider plots (6, 8, 10 and 12 Moss Road). The house to the west, 4 Moss Road has a much narrower frontage onto the road. Opposite the site, the plots are also narrower, this is also the case, further to the east of the site, from no. 14 onwards. In all, plot widths along this part of Moss Road are not uniform.

There is a reasonably clear building line along Moss Road. While there are some examples of outbuildings to the front of properties, these tend to be on the wider plots. Overall, the buildings to the front do not materially encroach on the streetscene, or the spacious and leafy character to the front of plots.

Many concerns have been raised that the proposed development would appear at odds with the prevailing density of development in the surrounding area and would appear cramped and as an overdevelopment of the site.

Planning application 20/4003M was also refused for the following reason:

“The existing site is one of a group of plots along Moss Road, which are defined by large houses on spacious plots. The spacious nature of these plots adds to the variety and character of Moss Road. The proposed construction of two dwellings would result in the spacious and open nature of the site being lost. This would undermine the spacious nature of the group as well as the variety of plots along Moss Road. This loss of openness and variety would result in harm to the character and appearance of the area. The proposal would conflict with Cheshire East Local Plan policies SD 2 and SE 1.”

In allowing the appeal, the Inspector noted and paragraphs 28 and 29 of their decision:

The surrounding area is characterised by dwellings extending along Moss Road on both sides, although beyond the fact that nearly all are detached two-storey houses there is little in the way of a unifying theme – houses are of a variety of ages, architectural styles, roof types, and materials. There is some variation in plot sizes, and while plot widths are not uniform most are within a similar range. The appeal site and its neighbours at Nos 6, 10 and 12 have wider street frontages than is typical along most of Moss Road. Buildings are, more or less, set to a clear line on both sides of the road, albeit with some variations. Front gardens tend to be smaller than those at the rear, and many are largely given over to car parking space,

although they are generally well-screened from the street by mature hedges and other planting, and this gives the street a verdant feel and contributes to its pleasant and affluent character.

The subdivision of the appeal site would create two plots which would be of a comparable width to most of those on Moss Road, including those on the north side of the road facing the site. The loss of the swimming pool and part of the garden area would inevitably reduce the amount of open space within the appeal site. However, this area is currently largely screened from Moss Road and public views through the site are restricted, so it makes a very limited contribution any rural and open character which may be perceived on this part of Moss Road (and which in any event, as I have explained above, does not really begin to become apparent until passing "Moss Hall Cottage" some way east of the appeal site).

Similar to the refused scheme, the proposal is for the subdivision of the site and the replacement of a single dwelling with two.

For this current scheme, the proposed dwellings would be the same height as the existing house. There would be some difference between the design and materials used for each dwelling, which would reflect the architectural variety found along this part of Moss Road. Subject to a condition relating to materials, the external appearance of the proposed dwellings would be acceptable.

There are also differences between this proposal and the refused scheme at 8 Moss Road. 6 Moss Road sits at the edge of the group of more spacious plots, with its immediate neighbour, 4 Moss Road on a narrower plot. As such the distinction between the more close knit form of development proposed and the more spacious plots would be less obvious.

Given the width of the application site, when subdivided into two properties, the plots would not be dissimilar to those of the houses opposite, or that of 4 Moss Road immediately adjacent. The proposed plans show that there would be around 7.5m between the two properties. There would be a distance of around 3m between the site and the boundary with 4 Moss Road and around 2m between the site and the boundary with 8 Moss Road to the east.

It is considered that the gaps between the properties would not be inconsistent with the plot density found elsewhere in the streetscene. The proposal would not appear unduly cramped or at odds with the surrounding density of development. Furthermore, should the development at 8 Moss Road be built out then this proposal will be viewed in that context and will sit comfortably in the character of the street scene. This development is therefore acceptable on its own merits within the existing street scene and also taking when taking into account the recently granted planning permission at the adjoining site.

The proposal would comply with CELPS policies SD 2 and SE 1, along with AENP policy AE2 and the aims of NPPF chapter 12.

Reference has been made to policy AE4, which relates to backland development and development in rear gardens. The Inspector noted at the adjoining site that even if that policy were taken into account the proposed development would comply with it because the

development would be well integrated into the built form of the surrounding area. It is considered that the same conclusions apply to this proposal for the reasons set out above.

Local Landscape Designation

The application site lies within the Alderley Edge and West Macclesfield Wooded Estates - Local Landscape Designation. Within this area, CELPS policy SE 4 applies. This policy seeks to conserve and enhance the quality of the landscape and protect it from development, which is likely to have adverse effect on its character, appearance and setting. It also states that where development is considered to be acceptable in principle, measures will be sought to integrate it into the landscape character of the area.

The Council's Landscape Officer has been consulted on the proposal. They have advised that the proposed development would not result in a significant landscape or visual impact on the designated landscape.

To ensure that the development integrates well into its surroundings, conditions are suggested covering boundary treatments, site levels, landscape details and implementation.

Subject to these conditions, the proposal would be acceptable in landscape terms and would comply with CELPS policy SE 4.

Residential Amenity

NPPF paragraph 127f) requires developments to achieve a high standard of amenity for existing and future users.

Saved MBLP policy DC3 states that development should not significantly injure the amenities of nearby residential property due to loss of privacy, overbearing effect and loss of sunlight and daylight. MBLP policy DC38 sets out the guidelines for space, light and privacy.

4 Moss Road

This property lies to the west of the application site. The proposed replacement dwelling would be located slightly closer to the common boundary than the existing. The remaining distance between the built form of the two houses would be around 7.1m. It would also extend around 2.8m beyond the rear of this neighbour.

Given the distance of separation, it is not considered that the increased depth would materially affect the outlook or light enjoyed by the rear windows and garden of this neighbouring property.

This neighbouring property has been recently extended (14/1225M refers). The windows along the flank wall of this neighbouring property are not the sole openings serving habitable rooms. In any case, they already face towards the flank wall of no. 6. As such, any impact on these windows would not materially affect the overall living environment of this neighbour.

The proposed balcony adjacent to this neighbour has been omitted. A condition is required to ensure the first-floor window facing this neighbour is obscure glazed and fixed shut. Subject to this condition, and the removal of permitted development rights as detailed below, it is

considered that the proposal would have an acceptable relationship with this neighbouring property.

8 Moss Road

The proposed dwelling to the east of the site would be set off the common boundary with 8 Moss Road by around 2m. This dwelling has been designed so the gable runs parallel to the common boundary, which helps to reduce the impact of its overall height.

This neighbour has a large side and rear garden. It sits approximately 12m away from the common boundary with the application site. While this neighbour has a ground floor window facing towards the application site, it is not the sole opening serving a habitable room. In any case the distance of separation would limit any loss of outlook or light, resulting from the proposal.

The proposal includes a number of windows along the flank wall facing this neighbour. A condition is required to ensure the first-floor side windows are obscure glazed and fixed shut below 1.7m to prevent any issues of overlooking. The balcony originally proposed has now been omitted.

It is considered that the proposed development would have an acceptable relationship with this neighbour.

Additionally, to ensure an acceptable future relationship with neighbours and between the properties, a condition is required removing permitted development rights for classes A, AA, B and E.

Concerns have been raised regarding the relationship and any future dwellings at 8 Moss Road. This is a material consideration in the assessment of this application.

None of the windows along the eastern elevation of the proposed infill plot would be the sole windows serving habitable rooms. This is also the case with the closest dwelling of the appeal scheme at 8 Moss Road. It is not considered that there would be any conflict between the two schemes. Both the current proposal and the appeal scheme at 8 Moss Road could be built out without harming one another's amenity.

Parking and Highway Safety

Saved MBLP policy DC6 sets out the circulation and access criteria for new developments. Amongst other matters, it requires new vehicular access to be safe and convenient. It also requires provision for manoeuvring vehicle, servicing and parking. CELPS Appendix C sets out the adopted parking standards. In this location, houses with four or more bedrooms should have a minimum of three off-street parking spaces.

The Council's Highways Officers have been consulted on the proposal. They have raised no objection to the proposed access and have noted that sufficient space would be available on site to provide parking in line with the above standards. The proposal would comply with saved MBLP policy DC6.

Flood Risk

CELPS policy SE 13 deals with Flood Risk and Water Management. It requires all developments at risk of flooding to be supported by an appropriate Flood Risk Assessment (FRA). It also requires all developments to seek improvements to the current surface water drainage network.

A number of local residents have raised concerns about flooding in the surrounding area. The Council's Flood Risk Team were consulted on the proposal and initially objected, raising concerns that the site is located in a high surface water risk area and no drainage strategy had been submitted.

Subsequent to this, the applicants have submitted a drainage strategy, which has been reviewed by the Flood Risk team. They have removed their initial objection, noting that they have no objection in principle to the development, but further information is required regarding the proposed drainage solution. They have advised that conditions are required, relating to ground levels and the submission of a detailed flood risk strategy.

Subject to these conditions, it is considered that the proposal would satisfactorily comply with CELPS policy SE 13.

Forestry

CELPS policy SE 5 deals with trees, hedgerows and woodlands. It states that where a development would result in threat to or loss of trees of amenity value, it will not normally be permitted, unless there are clear overriding reasons and no suitable alternatives. Saved MBLP policy DC9 broadly reiterates the same requirements.

There are two protected Silver Birch trees along the road frontage (TPO reference 03-037). There is also a protected Willow Tree to the rear of the existing dwelling. There are also a number of other trees and hedgerows across the site, which are not formally protected.

The scheme has been reviewed by the Council's Forestry Officers. They have advised that subject to the use of engineer designed surfacing, the proposed development would be unlikely to present any significant issues for these protected trees along the frontage.

The proposal would result in a 10% incursion of the root protection area (RPA) of the protected Willow, which lies to the rear of the site. They have advised that the relationship between the protected tree and the built form of the development would not be significantly inferior to what presently exists but could be improved through internal layout changes to achieve a more sustainable relationship with the protected Willow.

They have advised that the scheme as proposed would be broadly defensible. With this in mind and subject to conditions, relating to tree protection, tree retention, service and drainage runs and no dig hard standing construction, it is not considered that there would be any conflict with CELPS policy SE 5

Nature Conservation

CELPS policy SE 3 deals with biodiversity and geodiversity. It seeks to protect designated sites, habitats and protected species from development which would adversely affect it. It also requires developments to aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity.

A bat survey has been included within the application. This found no evidence of bats and concluded that the property is considered to offer negligible bat roost suitability.

The submitted bat survey has been reviewed by the Council's Nature Conservation Officer. They have not raised any concerns with the findings.

They have advised that subject to conditions to protect nesting birds and include ecological enhancements, the development would comply with the requirements of CELPS policy SE 3. No ecological issues are therefore raised.

Other matters

Concerns have been raised regarding disruption during building works. It is acknowledged that building works can be disruptive. However, as any disturbance is likely to be temporary, they are not a material planning consideration.

House values are not a planning matter and have not been considered.

The electric vehicle charging will be included. It is not considered that the suggested condition requiring the provision of ultra-low emission boilers would be necessary, reasonable or enforceable in this location and as such would not meet the tests set out within the NPPF and Planning Practice Guidance.

CONCLUSIONS

The proposal is for the demolition of the existing house and the construction of a replacement dwelling and a new dwelling in the side garden. The site within the Green Belt, but having regard to relevant case law and conclusions found at Appeal on the adjoining site, it is considered to be in a village for the purposes of CELPS policy PG 3.

The proposal would fall within two of the exceptions listed within CELPS policy PG 3 and NPPF paragraph 149. The replacement dwelling would not be materially larger than the one it would replace, and the new dwelling would be limited infilling within a village. The proposed development would not be inappropriate within the Green Belt.

Given the varied character of the area and surrounding properties, it is considered that subject to conditions, there would be no adverse impact to visual amenities and that the development would be well integrated into the surrounding urban form.

Subject to conditions, the proposal would comply with all relevant policies of the Development Plan. In the light of section 38(6) of the Planning and Compulsory Purchase Act 2004 the application is recommended for approval.

RECOMMENDATION : Approve subject to the following conditions

1. Three-year time limit
2. Development in accordance with the approved plans
3. Finished levels
4. Drainage strategy
5. Details of materials
6. Tree protection
7. Tree retention
8. Construction of engineer designed surfaces
9. Service drainage layout
10. Landscaping scheme
11. Implementation of landscaping scheme
12. Boundary treatments
13. Protection for nesting birds
14. Ecological enhancements
15. Electric Vehicle charging points
16. Obscure glazing to first floor flank windows
17. Removal of permitted development rights – class A, AA, B and E

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

